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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**MEGAN A. HARTIG,**

**Plaintiff,**

vs.

**PARK VILLA NURSING & REHABILITATION  
CENTER, LLC.,**

**Defendant.**

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) **No: 17 CV 5997**  
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) **JURY DEMAND**  
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**AS AND FOR A FIRST CAUSE OF ACTION  
(DISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT)**

**NATURE OF ACTION**

1. This is an action under Title I of the Americans with Disabilities Act of 1990 and Title I of the Civil Rights Act of 1990 and the Illinois Human Rights Act, to correct unlawful employment practices on the basis of disability (handicap) and to make whole **MEGAN A. HARTIG** ("HARTIG"). Defendant, **PARK VILLA NURSING & REHABILITATION CENTER, LLC.**, ("PVNRC") discriminated against HARTIG, a qualified individual with a handicap, because of her disability

**JURISDICTION AND VENUE**

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C.A. & & 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 107(a) of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C.A. § 12117(a), which incorporates by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C.A. § § 2000e-5 (f)(1) and (3). The employment practices

hereafter alleged to be unlawful were and are now being committed in the Northern District of Illinois, Eastern Division.

### **PARTIES**

4. HARTIG is an adult female with a disability and is a resident of the Orland Park, Cook County, State of Illinois.

5. At all times relevant, PVNRC, has been and is now a foreign corporation doing business in the State of Illinois and other surrounding States, and has continuously had and now have more than five hundred (500) employees.

6. At all times material herein and hereinafter mentioned PVNRC Corporation has engaged in and employed its employees in commerce and services for commerce between points in many states. PVNRC was, and is, and has been, at all times material herein, engaged in commerce within the meaning of the ADA.

7. PVNRC Corporation is an employer within the meaning of the ADA.

### **STATEMENT OF CLAIMS**

8. HARTIG was an employee of PVNRC her most recent position was performing the duties of a Assistant Director of Nursing, from August 22, 2016 until November 3, 2016, and believes that she was then terminated based upon her disability.

9. Despite PVNRC listing itself as an equal employment company and having a policy against discrimination to the disabled, PVNRC intentionally discriminated against HARTIG by subjecting HARTIG to different terms and conditions of employment because of her handicap and denying her accommodations, subjected her to a hostile work environment and then terminated from her employment with PVNRC. This

discrimination and termination, because of her handicap or disability, violates her rights under the American Disability Act.

10. HARTIG has a disability (handicap) in that she suffers from a (Lupus) and (Danlos) disorders causing the need for restrictive accommodations, in that she has a record of, or is regarded as having a mental impairment that substantially limits one or more of her major life activities.

11. PVNRC's acts and omissions to act violate applicable provisions of the American Disability Act.

12. The discriminatory action of PVNRC as set forth above has caused HARTIG to be harmed in that HARTIG has suffered in her position, her work environment had become impaired.

13. As a further proximate result of PVNRC's unlawful and intentional discriminatory actions against HARTIG, as alleged above, HARTIG has been harmed in that HARTIG has suffered lost income, emotional pain, humiliation, mental anguish, loss of enjoyment of life, and emotional distress. As a result of such discrimination and consequent harm, HARTIG has suffered such damages in an amount according to proof.

14. HARTIG has no adequate remedy at law to secure relief. If this court does not enter an order for PVNRC to reinstate HARTIG and thereafter accommodate him, HARTIG will be irreparably injured.

15. HARTIG filed a discrimination charge against PVNRC with the Equal Employment Opportunity Commission (Exhibit "A") and thereafter was sent a "Right to Sue letter" which is dated May 17, 2017 (See Exhibit "B"). This charge has been timely filed with the Northern District of Illinois.

**AS AND FOR A SECOND CAUSE OF ACTION  
(ADA-RETALIATION)**

16. This action is authorized and instituted pursuant to Section 107(a) of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C.A. § 12117(a), which incorporates by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C.A. § § 2000e-5 (f)(1) and (3).

17. HARTIG realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

18. PVNRC has intentionally retaliated against HARTIG, based upon HARTIG's requests for accommodations, wherein, Defendant's agents terminated her on November 3, 2016.

19. By reason of the retaliation of PVNRC, HARTIG has suffered a loss of earnings and benefits, in addition to suffering great pain, humiliation and mental anguish, all to her damage.

20. Further, said action on the part of the PVNRC was done with malice and reckless disregard for HARTIG'S protected rights.

**PRAYER FOR RELIEF**

WHEREFORE, the plaintiff prays that the court order such relief as is necessary to make the plaintiff whole, including:

1. Reinstatement or, alternatively, front pay;
2. Damages, including loss of pay and benefits;
3. Statutory liquidated damages due to the defendant's willful conduct;
4. Attorneys' fees and costs incurred in this action
5. Such other relief as is just and equitable.

6. The plaintiff requests a jury trial of this action.

MEGAN A. HARTIG

BY: /s/ Michael T. Smith

Michael T. Smith

Trial Attorney

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